

MANLY

DEVELOPMENT CONTROL POLICY

for

MANLY COVE



Manly Council, 1996
prepared by Environmental Services Division

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Date of Adoption - 2.9.96



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CERTIFICATION

Development Control Policy for Manly Cove, 1996
came into force on 2 September, 1996

Development Control Policy for Manly Cove, 1996
was amended on 7 September, 1998 in accordance with
council resolution

A handwritten signature in black ink, appearing to read 'W.A. Collins', written over a horizontal line.

W.A.Collins
General Manager

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INTRODUCTION

Council is the responsible authority for land/water interface development under the provisions of Sydney Regional Environmental Plan No. 23.

Land/water interface development consists of boating industry facilities; boat launching ramps; boardwalks; large marinas; marinas; public water transport facilities; water based restaurants and entertainment facilities; water recreational facilities; development for the purposes of dwellings of any type (including serviced apartments), commercial premises, tourist facilities, shops and retailing, restaurants, recreation facilities, carparking, when carried out wholly or partly in the waterway.

This Development Control Policy sets out in detail Council's town planning controls and guidelines on key development factors in the harbour front area of Manly Cove and is guided by the aims and objectives of Sydney Regional Environmental Plan No. 23 Sydney and Middle Harbours and previous studies undertaken by Council on Manly Cove.

PRELIMINARY

- A. Date of Adoption** 2nd September, 1996
- B. Land to which this Policy applies** This policy applies to land above and below high water mark between Commonwealth Parade, West Esplanade and East Esplanade and a line drawn from the southwestern end of East Esplanade Reserve to the southern most point of Commonwealth Parade (see attached map - Attachment 2).
- C. Development to which this Policy applies** This policy applies to all land based and land/water interface development.
- D. Relationship to other planning instruments and other development control plans and policies** This policy is consistent with the aims, objectives, etc of Sydney Regional Environmental Plan No. 23. For land above Mean High Water Mark the policy relates to Manly Local Environmental Plan 1988 (as amended). The policy should have regard to the Development Control Plan for the Business Zone 1989 (as amended) and the Development Control Plan for the Residential Zone 2001 (as amended).
- E. Aims and Objectives**
1. To provide detailed controls for the guidance of developers in order to achieve the aims, objectives, etc of Sydney Regional Environmental Plan No. 23 in relation to development in Manly Cove.
 2. To preserve and enhance the amenity of Manly Cove including public places and areas visible from public places or from the navigable waters of Sydney and North Harbours.
 3. To provide for maximum public visual and scenic quality to the harbour front and to avoid as much as possible private, exclusive use.
 4. To provide and enhance efficient transport facilities while recognising that the wharf and its connection to The Corso act as a gateway to Manly so that all development must be of a high visual quality and have regard to its visual impact on the shoreline and adjacent reserves.
 5. To ensure that all development in Manly Cove is complementary to and does not detract from the shoreline and adjacent reserves in Manly Cove.
 6. To retain all of the existing beach frontage for aquatic and recreational activities.
 7. To make optimum use of the Manly Pavilion precinct while still retaining its existing character.
 8. To retain the existing character of the boat club precinct at the southwestern end of Manly Cove while seeking to increase public usage.
 9. To conserve and enhance the environmental heritage of Manly Cove and its foreshores.
- F. Interpretation**
- Source*
Model Provisions
- In this policy:
‘Commercial premises’ means building or place used as an office or for other business or commercial purposes, but does not include building or place elsewhere specifically defined in this policy.

Source
SREP 23

Source
SREP 23
as amended by
Council on
7 September 1998

Source
SREP 23

Adapted from
Model Provisions

Source
SREP 23

Source
SREP 23

Source
SREP 23

Source
SREP 23

‘Land based development’ means all development completely above mean high water mark and includes boat shed; reclamation; seawalls; swimming pools; and waterfront access stairs, but does not include land/water interface development.

‘Land/water interface development’ means development for the purpose of boating industry facilities; boat launching ramps; boardwalks; large marinas; marinas; public water transport facilities; water based restaurants and entertainment facilities; water recreation facilities; commercial premises; tourist facilities; shops and retailing; restaurants; recreation facilities; and carparking when carried out wholly or partly in the waterway. When any of those categories of development include as part of that development a category of development listed under land based development and water based development then that part is also to be taken as land/water interface development.

‘Recreation facilities’ means a building or place used exclusively for sporting or leisure activities, whether operated for the purpose of gain or not and whether used for activities based on land or water.

‘Restaurant’ includes a cafe, tea room, eating house and a food court with associated takeaway food shops.

‘Shops and retailing’ means a building or place used for the purposes of selling, exposing or offering for sale by retail, goods, merchandise or materials but does not include building or place specifically defined in this policy.

‘Tourist facilities’ means a building or place, such as a hotel or motel, used by tourists or holiday makers for the purpose of holiday accommodation, sport or recreation and includes:

- (a) shops attached to or incorporated within the building or located at the place; and
- (b) other facilities servicing the needs of tourists and holiday makers using the building or place, but does not include a caravan park.

‘Water based development’ means aids to navigation; aviation facilities; boat lifts; charter and tourism boating facilities; commercial port facilities; dredging; flora and fauna enclosures; houseboats; maintenance dredging; multiple moorings; single moorings; skids; slipways; swimming enclosures; and wharves, jetties and pontoons. However where part of a water based development forms part of a category of development included in land/water interface development then it is taken to be land/water interface development.

Other uses mentioned in this Policy are defined in Sydney Regional Environmental Plan No 23.

1. MANLY COVE ACTIVITIES

1.1 Need for development consent

Development consent must be obtained for any buildings, works or the use of a building for any purpose. For development above high water mark the provisions of the Manly Local Environmental Plan 1988 apply and development below high water mark is subject to provisions of Sydney Regional Environmental Plan No. 23 including the design and management guidelines.

Except as otherwise provided by this policy, the Council will not grant consent to the carrying out of development on land to which this policy applies unless the Council is of the opinion that the carrying out of development is consistent with the aims and objectives of this policy and the aims, objectives, policies and strategies of the relevant planning instrument.

1.2 Role of Manly Cove

Manly is identified as a place to visit and is a location that supports a host of activities suitable for day tripping and for lengthy stays. It is important to recognise that the features of Manly are different and unique.

Water recreation is one of the key points in this regard. Manly's beachside and harbourside location is its major natural resource which offers recreation opportunities of local, regional and national significance. Previous studies suggest that the beach and harbour waterfront areas, and their close proximity to the town centre, provide the identifiable centre with a high visual quality. There is a need not only to identify and preserve significant buildings in and adjacent to the town centre but also the spaces and elements that contribute to Manly's unique visual character.

It should be recognised therefore that Manly Cove is part of the frame of the Manly Town Centre, that frame being open space in the form of beaches, parkland and landscaped reserves which define the town centre and which highlight the special seaside character and sense of place that is Manly. It is these qualities that constitute the principal attraction to residents, visitors and workers. Manly wharf has a role as a transport interchange and a gateway to Manly. The wharf because of its unique design is listed as an item of the environmental heritage as are the site of the former Manly cargo wharf and the boat club buildings at the southeastern end of Manly Cove.

1.3 Consent Authorities

Manly Council is the consent authority for all land based development and all land/water interface development. The Office of Marine Safety and Port Strategy is the consent authority for water based development. Land owners consent from the Office of Marine Safety and Port Strategy is required for any development proposed below high water mark.

2. BUILDING LOCATION AND SCALE

2.1 Building Location

In order to maximise open space and public waterfront access it is anticipated that there will be no new building work other than on the location of existing buildings.

2.2 Building Height

In order to preserve the visual integrity of Manly Cove in terms of views to and from the water no building will exceed 10.5m AHD. Architectural features and building embellishments may be permitted to exceed this height provided they enhance the design of the building.

2.3 Building Scale

Any new development shall be of low scale in keeping with the scale of existing buildings on the foreshore and the adjoining landform and must also have regard to the overall character of the Manly Cove waterfront.

3. BUILDING DESIGN

3.1 Design for Townscape

Irrespective of whether a building is listed as an item of environmental heritage, Council must be satisfied that the design of any new development has given due attention to the site's position within and contribution to the overall and existing future townscape and landscape quality of Manly Cove.

The townscape is seen to be the total appearance of a locality and the way in which individual items contribute to its character. A high level of townscape quality will result in an area being experienced, not as a number of disconnected parts, but as a whole, with one recognisable area leading into another. For the purpose of this planning control it is considered that Manly Cove still maintains an essentially unified townscape giving rise to a particular individual and unique character which should be maintained and reinforced.

3.2 Design Principles

Council considers the following design principles should be adhered to in all developments in order to be consistent with the aims and objectives of this policy.

- (a) The local role of any site and of any existing buildings should be determined, when viewed;
 - i) from a distance and then along the routes and from the viewpoints leading towards the locality;
 - ii) in relation to the adjacent spaces it borders and the need to define those spaces;
 - iii) in relation to adjoining or adjacent buildings and the need to be complementary to those buildings in terms of height, scale and design detailing.
- (b) Design details of any proposed development shall be complementary to any adjoining and adjacent buildings in the locality. In particular reference will be made to:
 - i) the scale, proportion and line of visible facades;
 - ii) the relationship of the building to the marine environment;
 - iii) the pattern of openings and the visual patterns of solids to voids on facades;
 - iv) overall wall and parapet height and height of individual floors in relation to adjoining development; (refer also to the maximum permissible building height)
 - v) materials, textures and colours;
 - vi) architectural style, and degree of architectural detail.

- (c) Proposed development shall be designed
 - i) to maintain the optimum amount of sunlight to adjacent open space areas;
 - ii) to minimise adverse wind effects;
 - iii) for the wharf environment, to improve the image of a gateway to Manly.
- (d) Exposed end or side walls shall be treated in a consistent manner in terms of colour and materials in particular to avoid unattractive patterns of different structural and infill elements.
- (e) Ground floor arcade links shall be encouraged. Where changes in level are unavoidable they shall be made by ramps designed to the minimum requirements for disabled access.
- (f) The reflectivity index of glass used on external walls shall not exceed 20%. In general the use of reflective glass and curtain walling as a facade treatment is not favoured in terms of townscape objectives.

3.3 Design Considerations

The design of any new building or alterations and additions to an existing building must take into account:

- i) scale, proportions and materials of any existing heritage building in the vicinity, and
- ii) the backdrop of the building when viewed from a public place including the natural landform, vegetation and buildings.

4. ACCESS, LOADING AND PARKING

4.1 General

In general it is realised that access for the purpose of loading and parking is difficult in this location. Parking facilities should only be provided where there is direct access from a roadway. Access driveways will not be permitted at ground level across Council's reserves. All parking shall be provided below the ground floor level of any building. Parking structures below mean high water mark will not be permitted outside the footprint of the ground floor of any building and must be screened from view from the water. Where it is impractical to provide on site parking a contribution towards the provision of parking in the Town Centre shall be required at a rate of \$17,603 per car space.

Any proposed development on land below mean high water mark immediately adjoining Zone 3 - Business in the Manly Local Environmental Plan 1988 is considered to be within the Manly Town Centre.

4.2 Access

Access is to be provided in a manner that:

- (a) All vehicles enter and leave the site in a forward direction.
- (b) The minimum width of an access drive should be 5 metres.
- (c) Vision of vehicles entering and leaving the site is not impaired by structures or landscaping.
- (d) There is sufficient room for trucks to manoeuvre to and from loading bay areas.

4.3 Loading Facilities

Loading bays shall be provided in sufficient number to meet anticipated demand. This is related to the total amount of floor space, the intensity of use and the nature of the use.

Minimum dimensions for a loading bay shall be 7.6 metres by 3.0 metres by 3.4 metres high.

Applicants should consult with Council's Engineering and Technical Services Division in regard to the provision of garbage facilities.

4.4 Vehicular Parking

Refer to attachment 1 for minimum parking requirements. The list of uses in this attachment relates to all uses in the Manly Council area and does not indicate that any particular use is permissible in terms of this development control policy. Parking is to be provided in accordance with Table 1 and Diagram 1.

5. DRAINAGE/WATER QUALITY

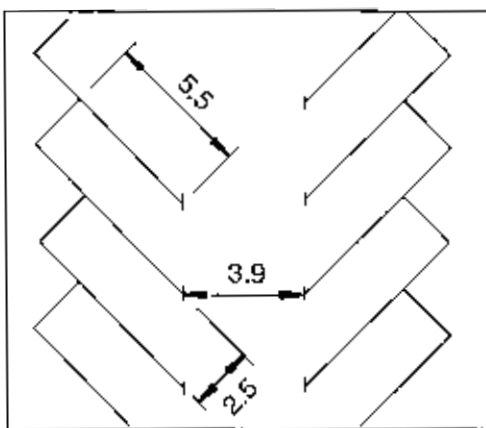
In accordance with the objectives of Total Catchment Management trash collection facilities to all stormwater drainage pits from developments which drain into the harbour shall be required. These facilities shall be fabricated in stainless steel and be of a similar style of construction to that of other drainage structures located in The Corso area. An agreement or positive covenant will be required addressing the responsibility for maintenance and cleansing of the structures which will rest with the owner/ lessee of the property. In addition there are penalties applicable under the Clean Waters Act.

Council's interim urban stormwater management model policies and guidelines shall be followed in preparing proposals where water quality and quantity are an issue. The Director of Engineering and Technical Services shall be consulted for guidance in this area.

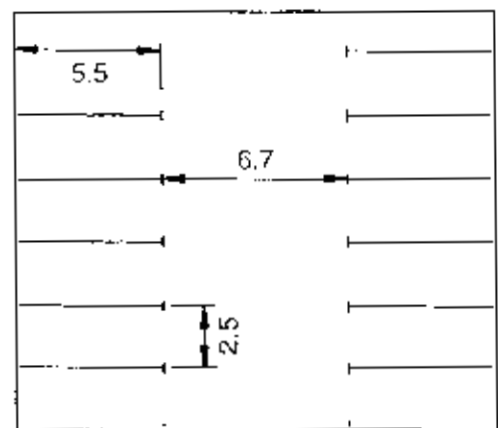
Table 1: Access Aisle Widths

Width of Aisle	Minimum Width of Bay or Garage Doorway	
5.2m	3.0m	All end bays against walls to be 0.2m wider than minimum dimensions indicated
5.5m	2.75m	
6.7m	2.5m	

Diagram 1: Parking Plan Layouts



45° angle parking



90° angle parking

6. WASTE MANAGEMENT

- 6.1 All pedestrian areas shall be adequately provided with clearly labelled compartmented waste receptacles to allow for self sorting of recyclable waste products i.e. glass bottles, PET bottles, cans and biodegradable materials such as food waste.
- 6.2 All containers for take away food must be made of biodegradable material.
- 6.3 Where seating is provided in or adjacent to food shops, all meals for consumption in the premises shall be served on returnable plates, cups and cutlery.
- 6.4 A garbage storage area must be provided in a suitable location and of a size and design acceptable to Council. Contact should be made with the Trade Waste Office of Sydney Water to discuss the requirements for liquid trade waste disposal.
- 6.5 No waste water is to be discharged into the waters of Manly Cove.

Minimum Parking Requirements

A. Vehicles

General Business and Retail:	For customers: one space per 50m ² of gross floor area. For employees: one space per 70m ² of gross floor area.
Commercial Premises (including offices):	One space per 70m ² of gross floor area.
Refreshment Rooms (including restaurants):	No requirement, unless part of a new development orientated primarily to refreshment room activities. In which case one space per 5m ² of gross floor area would be required.
Industrial Activities:	One space per 50m ² of gross floor area.
Licensed Premises (hotels, clubs):	<ol style="list-style-type: none">1. Within the Manly Town Centre area, one space per 8m² of licensed floor area (bar, lounge, bistro, beer garden area);2. Outside the Manly Town Centre area, one space per 4m² of licensed floor area (bar, lounge, bistro, beer garden area).
Tourist Accommodation (hotels, motels, guesthouses and the like):	<ol style="list-style-type: none">1. Within the Manly Town Centre area, one space per 4 rooms or suites for hotels ; two spaces for every three single occupancy units for motels, guesthouses and the like.2. Outside the Manly Town Centre area, one space per room or single occupancy unit.3. Regardless of the location, employee parking shall be provided at the rate of one space per two employees, calculated on the basis of the number of employees on the premises at peak times rather than the total overall number of employees.
Drive-in, Take-away Food Establishments:	One car space per 5m ² serving area plus one space per three seats. Minimum of thirty (30) car spaces for developments having frontage to a main or county road.
Dwelling-houses:	One space per dwelling.
Residential Flat Buildings:	<ol style="list-style-type: none">1. For studio and one bedroom units within the Manly Town Centre area, two spaces per three units;2. For studio and one bedroom units outside the Manly Town Centre area, one space per unit;3. For units comprising two or more bedrooms, one space per unit;4. One visitor space per six units.
Catering or Reception Establishments:	One space per 10m ² of gross floor area.
Motor Showrooms/Car Sales Yards:	One space per 30m ² of display area.
Service Stations incorporating Workshop Facilities:	Ten spaces.

Places of Public Assembly and Worship:

One space per 10 seats or one space per 10m² if seating capacity not specified.

Bowling Alleys, Squash Courts:

Three spaces per lane or court.

Hospitals:

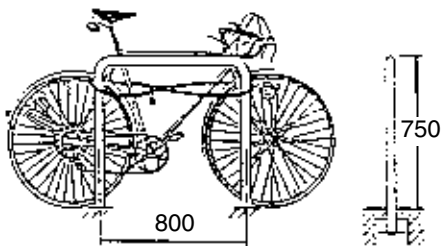
One space per three beds, plus one space per three employees.

Note:

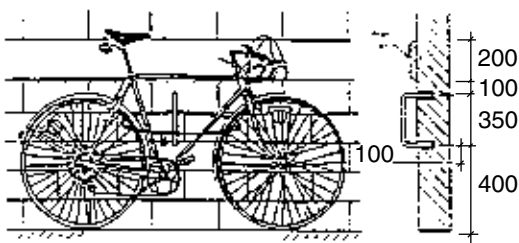
1. The Council may be prepared to allow a reduction in the above requirements:
 - (i) where it can be demonstrated that particular activities in mixed use developments have car parking demands which peak at different times;
 - (ii) where visitors are likely to use more than one facility per trip;
 - (iii) upon consideration of available car parking in the surrounding area.
2. The "Manly Town Centre Area" includes the business zone of Manly and the south-western portion of Pittwater Road.

Land below Mean High Water Mark immediately adjacent to Zone 3 - Business is considered to be within the Manly Town Centre.

B. Bicycles



(a) Floor rail - frame and both wheels secured to single chain in figur-of-eight pattern



(b) Wall mounted bracket and rail - frame and both wheels secured by single chain

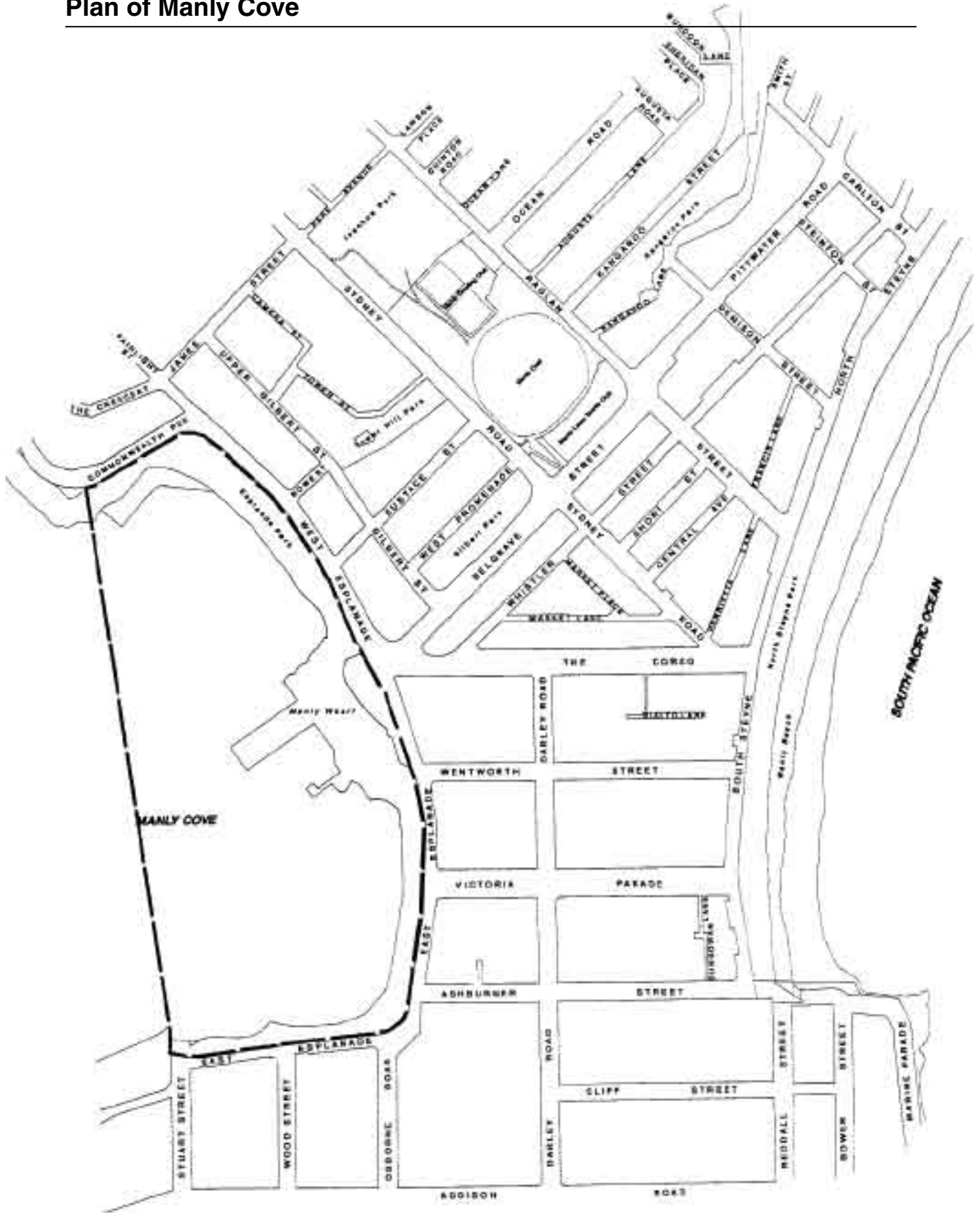
DIMENSIONS IN MILLIMETRES

1. Bicycle parking stands shall be provided at the rate of one for every three car parking spaces required, with a minimum provision of one stand for each premise.
2. For refreshment rooms bicycle parking stands at the rate of one per 25m² of gross floor area will be required regardless of whether vehicular parking is required.
3. Bicycle parking stands for other than employee use shall be provided in a highly accessible and visible location as rails which are either freestanding or attached to the wall of the building as close as possible to the public roadway.

Suggested bicycle parking designs. Consultation should be made with the Environment Division.

(Source: Australian Standards)

Plan of Manly Cove



Area to which the
 Development Control
 Policy applies

Project:

**Manly Cove
Development Control Policy**

Drawing Title:

Plan of Manly Cove

0 50 100 150 200m

SCALE

Prepared by: Environmental Planning Section



Drawn
by
LFC

Dwg No
SK1